UNITED NATIONS

CEDAW

Convention on the Elimination of All Forms of Discrimination against Women

Distr.
GENERAL

CEDAW/C/SR.364
24 March 1998

ORIGINAL: ENGLISH

COMMITTEE ON THE ELIMINATION OF DISCRIMINATION AGAINST WOMEN

Eighteenth session

SUMMARY RECORD OF THE 364th MEETING

Held at Headquarters, New York,
on Wednesday, 21 January 1998, at 3 p.m.

Chairperson: Ms. KHAN

CONTENTS

CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES UNDER ARTICLE 18 OF THE CONVENTION (continued)

Initial report of the Republic of Croatia (continued)

This record is subject to correction.

Corrections should be submitted in one of the working languages. They should be set forth in a memorandum and also incorporated in a copy of the record. They should be sent within one week of the date of this document to the Chief, Official Records Editing Section, room DC2-750, 2 United Nations Plaza.

Any corrections to the records of the meetings of this session will be consolidated in a single corrigendum, to be issued shortly after the end of the session.

98-80078 (E)

The meeting was called to order at 3.05 p.m.

CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES UNDER ARTICLE 18 OF THE CONVENTION (continued)

Initial report of the Republic of Croatia (continued) (CEDAW/C/CRO/1)

1. At the invitation of the Chairperson, Ms. Babić (Croatia) took a place at the Committee table.

Article 5

2. Ms. FERRER, referring to paragraph 14, asked the representative of Croatia to describe the measures taken to eliminate gender stereotypes and to educate society about the principle of gender equality. In that regard, she asked whether the Ministry of Education had established specific programmes for children and young people, and whether any specific work had been done to enhance the gender awareness of teachers and health workers. She wished to know whether Croatia's highly placed women media professionals were sensitive to gender issues and sought to further the goals of the Convention. Turning to paragraph 66, did the Programme on Protection and Help for the Victims of Maltreatment also cover domestic violence, was it already being implemented and could some of its results be evaluated? The representative of Croatia should indicate what the law stipulated, and what protection was available, in the case of women whose pregnancy was the result of rape. Were there any programmes for assisting and supporting rape victims? Lastly, was there any cooperation between the Government and non-governmental women's organizations that provided assistance to women rape victims?

3. The CHAIRPERSON, speaking as a member of the Committee, drew attention to the fact that there were some 500,000 refugees in Croatia as a result of ethnic cleansing. She asked whether, despite repeated assurances from the Government that they would be allowed to return safely, female refugees who attempted to return home were still exposed to physical abuse, particularly at the hands of the armed forces and the public authorities. What kind of assistance, if any, had the Government provided for their rehabilitation? Referring to the new penal code under preparation that would no longer require the State attorney to prosecute cases of severe physical injury perpetrated within the family, nor require the police or medical professionals to report such cases, she asked what alternatives were available to women to secure redress in situations of domestic violence, especially since the new code sought to reduce the penalties for violence against women when the perpetrator was a family member.

4. Ms. ESTRADA CASTILLO said that the persistence of gender stereotypes impeded women's full participation in society. She wondered whether the image of Croatian women as mothers and nurturers, and the granting of privileges to women who bore more than four children, was something that Croatian society wished to encourage. What impact had that policy had on the country's age structure? The persistence of domestic violence was the result of violence in society at large; unfortunately, women and children were its main victims. Addressing such behaviour effectively meant educating children against it from

an early age. In that regard, did the Government have a specific policy on the elimination of gender stereotypes and specific plans to educate children in gender equality and a culture of peace.

5. Ms. JAVATE DE DIOS asked the representative of Croatia to confirm whether some employers were putting pressure on women to sign contracts committing themselves to not become pregnant for a period of five years after taking up employment, and to indicate what measures, if any, the Government was taking in that regard. She was particularly concerned about the increase in the number of cases of violence against women, especially unreported cases. Why was it that women did not report crimes of sexual harassment and violence against them, and were there any support programmes, shelters or counselling centres for the victims of such crimes and confidential procedures to protect their identity? In that regard, gender sensitivity among police officers and judges was vital to the success of any intervention programme on behalf of victims of violence. She was concerned about the idea of classifying rape and sexual violence as gender-neutral; placing women on a par with men in that regard missed the point. Such violence was overwhelmingly gender-specific.

Article 6

6. Ms. BUSTELO GARCIA DEL REAL asked for comprehensive information on how legislation relating to article 6 of the Convention was being applied. Certain aspects of paragraphs 22 and 23 of the report were not clear in that regard. She asked whether the legislation aimed at preventing traffic in women and girls was actually being applied and what penalties were imposed. The report provided some data on the implementation of the legislation on prostitution, but none on traffic in women. Nor did it indicate whether persons charged with such offences had subsequently been convicted.

7. The representative of Croatia should confirm whether procuring was now an offence, rather than a misdemeanour, indicate what penalties applied thereto and whether the exploitation of prostitution had actually been curbed by amending the relevant law. Did the laws on violence against women, particularly rape, apply equally to women prostitutes? Was emigration monitored to prevent traffic in women for purposes of prostitution?

8. Ms. JAVATE DE DIOS asked whether there were any programmes for women who wished to abandon prostitution and whether there were any data on international prostitution and traffic in women. Did the Croatian Government intend to enter into agreements with other countries where traffic in Croatian women had occurred, with a view to preventing such traffic?

Article 7

9. Ms. Yung Chung KIM said that she had been impressed by the large number of women in the judicial sector. Nevertheless, women were unrepresented or under-represented in high-level decision-making judicial bodies such as the Constitutional Court and the Bar Council; of the latter's 31 members, only one was a woman. She would like to know whether women played a leadership role in political parties, what percentage of political party members were women and what percentage of women had stood as candidates for parliamentary and local

government elections. She also wished to know whether the Government and non-governmental organizations had any programmes for training women for decision-making positions, whether there were any factors that prevented women's participation in trade unions and whether any measures had been taken to encourage such participation. The representative of Croatia should indicate the extent to which women's organizations were involved in policy-making, and whether there were any mechanisms to ensure such involvement.

10. The CHAIRPERSON asked why women's participation in local and national politics had decreased dramatically since Croatia's independence, whether there was a quota system for women's participation in politics and whether there were any public education or information programmes to promote greater participation by women in decision-making and political life. Was there a relationship between the tendency for women not to exercise their rights in that regard and the high priority given to women's role as mothers?

Article 10

11. Ms. FERRER asked whether any specific measures had been taken to address the problem of female illiteracy.

12. Ms. Yung Chung KIM asked what measures had been taken to achieve a balance in the number of men and women principals in both primary and secondary schools. The representative of Croatia should give information on the qualifications and background of educational advisers and indicate whether they were appointed or elected, and by whom. Were such advisers involved in the formulation of national policy? Could school textbooks which continued to stress the traditional role of women be changed and what body had the authority to make such changes? It would be interesting to know the views of non-governmental organizations and women's organizations on that issue. She also asked about the number of women pursuing post-graduate degrees and the number of women faculty members at the university level, and their respective fields.

13. Ms. JAVATE DE DIOS said that although paragraph 46 indicated that material implying the traditional role of women had been removed from textbooks, the oral presentation had given the impression that a great deal of emphasis was placed on women's role as mothers. It was important for women to be presented in their variety of roles in society. She asked what efforts were being made to introduce women's studies in schools and universities and what emphasis was being placed on human rights education, particularly after a period of war and human rights abuses.

Article 11

14. Ms. FERRER said that the report did not provide a clear picture of the current situation of working women because the statistics were out of date. She asked what percentage of women were in the economically active workforce, including women working part time or in domestic work, and requested information on occupational categories, as well as on the availability of training and refresher training and job placement for unemployed women: were women who supported their families given any kind of priority?

15. She asked how the principle of equal pay for work of equal value was being put into practice in the State and private sectors and requested data on the percentage of women who held managerial positions in Croatia's economic structure.

16. Ms. SHALEV, referring to paragraph 58, said that restrictions on women's right to employment, such as limitations on overtime and night work, had been mentioned in the report and in the oral presentation as examples of the protection of working mothers against discrimination. However, the underlying motive seemed to be patriarchal, since such provisions had the effect of restricting women's economic autonomy and status and discriminating against them. If women with children under the age of two could not work overtime or at night, they did not have access to extra pay; there was no reason why men should not take care of small children in the evening. The restrictions on hard physical labour were presented as a means of protecting women's reproductive role, but the restrictions did not apply to health-care workers, despite the strenuous physical work which they often had to do. That situation simply reinforced the stereotype that it was women's work to take care of dependent people. It was not clear why there was so much concern about women's health, but not men's health, and why it was acceptable for men, but not women, to do night work. The Government should review its policies from the perspective of women's autonomy with respect to employment.

Article 12

17. Ms. SHALEV said that the report provided an impressive amount of data on the health-care system, but the data were out of date and therefore not very useful, especially in view of the political changes which had taken place in Croatia. It would be helpful to have an analysis of the data and a description of the women's health policies which had been developed on the basis of that information. She requested information on the financial resources allocated to the health insurance system; what percentage of the budget was being allocated to it by comparison with previous years?

18. Information from non-governmental organizations indicated that there had been cuts in health-care services, primarily contraception and legal abortion; since those were services which women needed, such cuts could constitute discrimination under the Convention. What other services had been cut?

19. Referring to paragraph 61, she asked whether there were different categories of insurance for men and women and whether coverage was available for women who did not work outside the home. She requested statistics on the number of women who were uninsured, as compared with the number of men.

20. The report referred to sick leave to care for a spouse or child; what provision was made for women to receive remuneration for the work involved in caring for elderly and disabled family members? In view of the increase in the size of the elderly population (para. 64), was there a policy to improve community nursing services?

21. Paragraph 63 indicated that refugees and displaced persons were entitled to free primary health care and emergency care; how did their rights differ from

those of fully insured persons? To what extent did they have access to public health services, especially if they were victims of sexual violence, and to contraception and abortion?

22. She requested gender disaggregated data on male and female mortality and morbidity, especially that caused by HIV/AIDS; had there been any increase in the incidence of HIV/AIDS among women? What resources were being allocated to medical research, and how much research was addressing women's health, as opposed to men's health?

23. With regard to contraception, she asked which methods of contraception were available. Were they accessible to women in all parts of Croatia? What were the rates of use of the different methods? Had there been an increase in the number of abortions following the cuts in funding for contraceptive services? What did contraception and abortion cost in relation to average income? What had been the effects of the withdrawal of State funding? What contraceptive information and counselling services were provided? Were there education programmes to for young people, particularly about sexually transmitted diseases, HIV/AIDS and male responsibility for reproduction?

24. With regard to teenage pregnancy, it was not clear to which year the statistics referred. She requested statistics on the number of pregnancies in each age group. If a minor could not obtain an abortion without her parents' consent (para. 67), that violated her right to confidentiality and could be a deterrent to her seeking health care. She requested information about the new legislation on abortion. A non-governmental organization had reported that several hospitals in Croatia had been refusing to perform abortions on moral grounds, and the report indicated that the Ministry of Health had voided a decision by the "Sisters of Mercy" clinical hospital in Zagreb not to terminate pregnancies (para. 69); had similar steps been taken elsewhere? In some cases, a hospital might be the only health-care facility in a given geographical area, and if it refused to perform abortions, a woman's right to an abortion could be severely restricted.

25. Referring to paragraph 72, she asked whether the Government of Croatia had addressed the gender differences in drug and alcohol abuse.

26. Ms. ABAKA said that it was commendable that the Government of Croatia had incorporated the Convention into national law; she asked whether anyone had invoked the Convention before the courts to challenge a violation of women's rights.

27. The report placed great emphasis on the role of women as mothers; she asked whether that was because society regarded women mainly as mothers rather than as individual human beings. It was commendable that gynaecological care was provided as part of primary health-care services; that was not the case in all countries, even some rich countries. Did women from all ethnic groups have access to gynaecological care, and was it free? She requested information on the ratio of resources allocated to contraception, abortion and sterilization as compared with those allocated to infertility treatment. Did medical and paramedical personnel receive education in women's rights? Such education was

important, because it seemed that some doctors were refusing to perform abortions.

Article 14

28. Ms. OUEDRAOGO said that the information provided on article 14 was inadequate, given the broad scope of that article. She asked whether development programmes and projects had been or would be implemented for the advancement of rural women, who were often at a disadvantage compared with urban women.

Article 16

29. Ms. Yung Chung KIM, referring to paragraph 90, said that it was unusual for the question of division of labour in marriage to be included in the law. However, it was indicated in paragraph 92 that Croatian women filed for divorce much more often than men, in some cases because they were burdened with household duties and childcare; did that mean that, in practice, there were problems with the division of labour in marriage? What measures were being taken to narrow the gap between the law and its implementation? Were they any means of redress for women, other than divorce? Were men aware of the law? Were any services available for improving family relations or for providing legal aid?

The meeting rose at 4.30 p.m.